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**MEMO: FROM MARK LEVINE, PROFESSOR OF HISTORY
TO: ETHNIC STUDIES CURRICULAR REVIEW COMMITTEE
RE: ALLEGED BIAS AGAINST JEWS/ISRAEL IN ES CURRICULUM**

Dear Sir or Madam,

I am writing as a professor of modern Middle Eastern history who specializes in the history of Zionism and Israel, having completed my doctoral dissertation in 1999 on the history of the cities of Jaffa and Tel Aviv. I am Jewish, speak Hebrew fluently, have lived, studied and worked in Israel for many years since 1991, when I first visited, and have written or edited over half a dozen books (several with Israeli colleagues) dealing with the history and contemporary dynamics of Israeli as well as Palestinian societies. I also have taught ethnic studies since 1995 and am very familiar with the history and dynamics of the discipline.

I'm writing specifically in response to the letters and reports sent to you by the Jewish Public Affairs Committee of California, the Institute for Curriculum Services, and the California Legislative Jewish Caucus, all of which have expressed several complaints about the way Jews and Israel have been depicted, with special focus on the mentioning of BDS as a tool of protest adopted by Arab and Muslim Americans to protest the Israeli Occupation. There is another complaint as well, which is that Jews are not included as an American ethnic group and that religious identities should be part of the definition of ethnic in ethnic studies. As far as these two arguments go, I would support including discussion of Jewish American identities as one of the featured identities in any ethnic studies course/curriculum. The fact that Jews as a group straddle so many different identities – religion, nation, ethnicity and even race – makes them an exemplar of the difficulties and complexities of defining and studying “ethnicity.” At the same time, I agree that the identification by many – but by now means all, and historically in fact a minority of – Jews with Israel is an important component of Jewish identity to study, precisely because Israel becomes the intersection of all these various and often – both historically and today still – conflicting components of ethnicity.

I would go further and say that it would be extremely useful to include a discussion of how Jews and other “white ethnic” groups in the United States – Irish, Italians, Greeks, Poles, white Catholics, light-skinned Cubans, and so on – became accepted as “white” by the dominant Anglo-Protestant majority, and how that dynamic played into which groups remained

marginalized and excluded from mention in most state-mandated curricula until “ethnic studies” became a legally mandated curriculum in its own right, in the present-day pedagogy. We all know that race and ethnicity are social and political constructs, and that people considered “white” or “black” or “Latino/a” (or at least “ethnic”) in one location might be considered the opposite in another, showing the mutability of definitions of race and ethnicity in the real world. The history of Jews as a racial and ethnic group, and today effectively “white” as far as the majority of Americans are concerned, is a very good exemplar of the complexities involved in understanding ethnicity and why ethnic studies remains such an important tool for producing enlightened citizens. Indeed, I would argue that this very episode, both the process of curricular development, and the responses to it by “ethnic” pressure groups and elected officials tied to them, would make for a great case study for students about the politicization of ethnicity in the US.

At the same time, however, the claim in the Jewish Caucus letter that the “ESMC effectively erases the American Jewish experience,” is clearly unfair and based on a lack of understanding of what were the origins and goals of the ESMC: that is, the result of almost complete marginalization and exclusion of the most marginalized ethnic and racial groups in the United States, and in California in particular, from secondary school curricula through the late 1960s, when the drive to create an ethnic studies curriculum first emerged. Jewish studies was not part of this curriculum from the start precisely because by this period Jews were not marginalized in the manner as African Americans, Latinx, Native Americans, LGBTQ and other Americans were and remain to this day. In that regard, ethnic studies was not developed to incorporate Jews, or Irish or Italians or other European-origin identities for that matter into its curriculum. On the other hand, given that this history of the field, of who is and isn't covered by ethnic studies curriculum, is so relevant to the issues addressed by the curriculum, I would suggest including such discussions about the field within the pedagogy to the extent this isn't already occurring.

But I would strongly disagree with the rest of the claims made by these three letters. First, it needs be stressed that identification of Jewish with Zionism and Israel was neither an inevitable nor even a majority view in the Jewish community, either globally or in the US, until 1967. Certainly before 1948 it was a decidedly minority opinion. Historically, socialism was been as important an identity for European and American Jews as Zionism – Bernie Sanders is only the latest in 150 years of Jews who were at the forefront of socialist movements and thinking. Thus to be accurate, any discussion of Zionism would have to be situated vis-a-vis socialism and the ratio of socialist (as opposed to Zionist) American Jews is growing by the day. Most Jews were actually religiously anti-Zionist until 1967; till the present day a large share of religious Jews remain theologically anti-Zionist (particularly what are normally referred to as “Hasidim”), even if they tacitly accept the Israeli state's existence. I support including this discussion as part of a state-mandated curriculum, but only to the extent that the full narrative is included. To focus entirely on Zionism creates a linear and teleological narrative of American Jews naturally and inevitably becoming Zionist, which is simply empirically wrong. In fact, it's impossible to understand the fastest growing segment of Jews in the US today—explicitly anti-Zionist, BDS-supporting Jews, without understanding this long and complex history.

In this regard, I completely disagree with the claims in these letters/reviews that BDS is somehow anti-Semitic or prejudiced against Jews. The fact that more and more Jews support

BDS, including Israeli and American Jews, demonstrates the absurdity of this claim. Indeed, the strongest coalition around anti-Zionism and BDS today is comprised of American Jews who belong to a number of rapidly growing organizations such as Jewish Voice for Peace and If Not Now working with Muslims and Christians against the Occupation, with BDS as a primary tool. To be sure, if one is going to mention BDS it's a good idea to include a discussion of how the concept is deeply polarizing and politicized. But to label it as inherently anti-Jewish is simply false, as has been demonstrated not merely by activists but by professional academic organizations who have repeatedly called out attempts to equate support for BDS and even principled anti-Zionism with anti-Semitism.

Turning more directly to the review document, some of the claims are empirically false on their face like the claim that Jews or BDS are mentioned in Chapter 2. There is one mention of BDS as a “potential social movement” on p. 35, but mentioning that is both accurate and does not advocate any view in particular. Allow me to address the claims within the ICR letter in turn when it comes to BDS:

pp 4-5: “The movement’s stated goals do not include advocating for a just and peaceful solution that respects the need for sovereignty and self-determination of both parties; to the contrary, the movement is extremist and focused on advancing one party’s interests at the expense of the other.”

This is factually incorrect. The movement explicitly advocates non-violence and justice as well as peace. It respects sovereignty for all people in Israel/Palestine. What it rejects is an exclusivist state based on Jewish domination over Palestinians as it has existed for over half a century with Zionism as practiced by the Israeli state. That's a big difference from what this letter claims, and it's a position that is shared by more and more American Jews every day.

p. 5 - To fully comply with ESMC Guidelines and the Education Code, all references to BDS should be removed from the curriculum. There are several important reasons why BDS should be removed from the Ethnic Studies Model Curriculum:

- First, BDS is outside the disciplinary boundaries of American ethnic studies, which focuses on the experiences of ethnic groups within the United States. The Model Curriculum itself defines the field of ethnic studies: “at its core, the field of Ethnic Studies is the interdisciplinary study of race, ethnicity, and indigeneity with an emphasis on experiences of people of color in the United States.” (See ESMC Chapter 1, lines 24- 25.) The very definition provided here demonstrates the position is wrong. BDS is clearly within the parameters. BDS is inseparable from the way race, ethnicity, and indigeneity have intersected with Occupation, racism and colonialism in a country that is deeply tied to the US and whose most important supporters in the US today are at the heart of the racial politics that threatens the very fabric of our country..

An ethnic studies survey course has a lot of content to cover, even when it sticks to historical and cultural issues within the United States. Unlike the Black Lives Matter, Dreamers, or Occupy movements, **BDS is not concerned with the experiences of people in the United States, but is an internationally coordinated movement focused specifically on governments 10,000 miles away.** Also, not true. BDS is concerned explicitly with US support for Israel and other governments in the region, and is directly related to issues of white supremacy and racism in the US. BS is thus a very good framework for exploring racism in the US.

And when BDS actions do target people and organizations in the United States, these negatively

impact their First Amendment rights, as noted below. Nonsense. **There is no violation of anyone's first amendment rights except when the government and Zionist organizations try to silence support for BDS or even just criticism of Israel. This claim is gaslighting pure and simple.**

○ Second, the addition of BDS is not inclusive and violates the mandate of the Ethnic Studies Model Curriculum Guidelines, which states that the Model Curriculum shall: i. “Promote the values of civic engagement and civic responsibility” ii. “Be written in language that is inclusive and supportive of multiple users” iii. “Encourage cultural understanding of how different groups have struggled and worked together, highlighting core ethnic studies concepts such as consciousness raising and knowledge building, identity development and self-determination, justice and social change, and love, respect, and hope” iv. “Be inclusive by creating space for all students regardless of race, ethnicity, class, gender, sexuality, or citizenship to learn different perspectives” Inclusion of BDS presents a single viewpoint on a complex international issue, which is hostile to others involved in the matter, and violates the mission of inclusion which is paramount to the field of American ethnic studies. The field of ethnic studies aims to bring diverse groups together where all groups are represented in a respectful way with the intention of compelling intergroup dialogue. In significant contrast, BDS is, at its core, about division, which will ultimately put students in vulnerable positions with teachers explicitly violating California Education Code 51500.

Each one of these claims is false. BDS does not promote exclusion, what it promotes is anti-racism and working together among Jews, Palestinians, Arabs, and others towards a common goal of a Democratic Israel/Palestine. People don't have to support this goal but to accuse it of being itself about dividing people is again entirely wrong. The fact that it's a “single viewpoint on a complex international issue” does not disqualify it. Every “complex international issue” is the result of numerous viewpoints coming together at various levels of conflict. The accusation here literally makes no sense.

p. 6 - ○ Third, the BDS movement explicitly calls for actions that violate international academic freedom and the First Amendment. **This is a flat out lie and is in fact gaslighting. There is no way to legitimately describe BDS as this. It calls for boycotting the institutional collaboration with and support by Israeli institutions that are part of the machinery of Occupation. It does not call for boycotting individual scholars or preventing them from speaking or coming to conferences or anything similar. This is clearly alid out in the publicly available principles. It is protected speech and in no way violates free speech laws. To understand how ludicrous this claim is imagine that if BDS violates free speech laws than any movement for boycotting goods is a violation of the Constitution. In fact, it is precisely the tactics deployed by so-called “pro-Israel” groups that engage in gaslighting of this sort – making false accusations that in fact define precisely their own actions, not those of the group they're attacking, who have engaged in ruthless and mendacious attempts to bully and threaten college students, professors and others who support BDS. Indeed, I agree that any discussion of BDS should include discussions of violations of international academic freedom, but it should include *actual* violations by the groups who are at heart of opposition to BDS, and explore how the tactics they deploy are at the heart of attacks on ethnic studies curricula across the country.**

The BDS movement seeks to censor the academic freedom and free speech of Israelis and those who support Israel’s right to exist, while insisting that BDS advocates’ free speech, which incites hate, be protected. **Again, wrong for the above reasons, and the idea that incites hate is also**

simply wrong, as demonstrated by the growing and very large number of Jews who support it. Unless one means they hate the Occupation, which is no doubt true.

The inclusion of BDS in the ESMC will put a segment of California students and teachers in an untenable position of feeling discriminated against. This claim is made without any support and has no basis in fact unless one wants to claim that opposing an illegal and immoral Occupation that itself systematically violates the rights of millions of colonized and occupied people is somehow discrimination.

○ ... In this Model Curriculum draft, only Israel is held up for critique, with no historical context or rebuttal of factually incorrect assertions. This is not balanced scholarship, but one-sided, biased politicized speech that prevents students from hearing all sides and points of view on a complex topic. This kind of content does not belong in public school classrooms or a Model Curriculum, especially one dealing with ethnic studies. It is true that Israel appears to be one of the few countries, if not the only one, discussed in the curriculum. But this does not mean, as the Legislative Caucus letter accuses below, that the curriculum “single[s] out Israel for Condemnation.” The reality is that Israel is mentioned in the context of BDS and social movements that have evolved in the US and are part of the ethnic studies universe of study. While there are no doubt many other ethnic and/or religious communities in the US that are struggling for human rights and justice in their homelands (Syrians, Tibetans, Haitians, and so on), these struggles are largely removed from the mainstream public sphere, while the struggle by Palestinians, Arabs and Muslims surrounding the Israeli Occupation, and the growing coalitions they have formed with not only African American, Latinx and other and other dangerously marginalized “ethnic” groups in the US today, but also with increasing numbers of anti-Occupation American Jews, fall directly within the purview of ethnic studies and is thus directly relevant to the curriculum.

Turning more fully to the Jewish Caucus letter, it claims that the draft curriculum “denigrates Jews” because it includes lyrics from the song “I love you Palestine” by the British Palestinian rapper Shadia Mansour. This is simply not true and is an example of a long-term strategy by groups that support Israel regardless of its policies to label any support for Palestinian rights or even identity, never mind criticism of Israel, as inherently anti-Semitic. I personally know Shadia Mansour and she is absolutely not anti-Jewish, nor are these lyrics. It is simply a political fact that Israel “uses the press to manufacture” a picture of reality that is utterly removed from what exists on the ground. This is not only well-known, the Israeli government has a term for it: *hasbara*, and it as well as Zionist organizations routinely boast of how successful these efforts are. In fact, Zionist organizations actually sponsor what *they call* “hasbara fellowships,” which are supported by the Israeli Ministry of Foreign Affairs (as documented by Jewish Voice for Peace in its 2015 exposé, *Stifling Dissent*). Moreover, the fact that Israel engaged in propaganda efforts to justify its policies is no different than any other government that does so; thus, calling it out for such activities in no way singles out Jews or Israel.

Let me close by rebutting the claims made by JPAC and the Jewish Legislative Caucus in their letters that the Ethnic Studies curriculum does not meet mandated goals because of its very slight inclusion – only two mentions, one line in the text and one item in the glossary – of the concept of BDS is simply belied by the facts as outlined above. I therefore urge that BDS be retained as currently mentioned while also calling for a greater emphasis on the intersection of race and ethnicity through the experiences of Jews and other “white ethnic” groups whose transition from

marginalized outsiders similar to Mexicans today to being accepted as “white,” and how that process and transition has affected still marginalized groups such as African Americans, Latinx and Native Americans would strengthen the curriculum.

Thank you for your time and consideration. I am happy to speak with you at your convenience or testify as part of any hearings on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark LeVine". The signature is written in a cursive, flowing style. The first name "Mark" is written with a large, prominent 'M' and a small 'a'. The last name "LeVine" is written with a large 'L' and a small 'V'. The signature is set against a light gray rectangular background.

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